



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

September 30, 2022

**BY ECF**

Honorable Paul A. Crotty  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. John DeFalco*, S1 19 Cr. 472 (PAC)**

Dear Judge Crotty:

The Government respectfully submits this letter in connection with the forthcoming sentencing of John DeFalco in the above-captioned matter. Attached to this submission is a letter and accompanying exhibits from the District Council of New York City and Vicinity United Brother of Carpenters and Joiners of America, as well as its affiliated Local 157 chapter (collectively, the "District Council"), seeking restitution.

As the letter notes, this Court previously ordered restitution in the amount of \$145,065.33 against defendant Salvatore Tagliaferro. (Dkt. 191.) At Tagliaferro's sentencing, the Court indicated its intent to impose restitution in that amount as to DeFalco as well, with the defendants' liability being joint and several. (Sent. Tr. 30.) The District Council seeks to add an additional \$3,148.46 to that amount, which reflects approximately 20% of the stipends paid to DeFalco by the District Council during the period of the charged conspiracy. *See United States v. Bahel*, 662 F.3d 610, 649 (2d Cir. 2011) (affirming that "a portion of an individual's salary can be subject to forfeiture where, as here, an employer pays for honest services but receives something less").

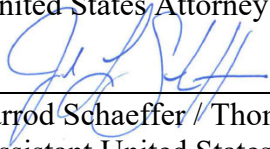
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Accordingly, at sentencing, the Government intends to submit a proposed order of restitution in the amount of \$148,213.79.

Respectfully Submitted,

Damian Williams  
United States Attorney

By:

  
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cc: Counsel of Record